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United States Attorney

2 District of Nevada

Nevada Bar #13644

3 | BIANCA R. PUCCI

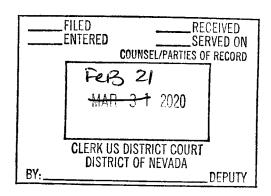
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UNITED STATES DISTRICT COURT DISTRICT OF NEVADA

UNITED STATES OF AMERICA,

Plaintiff,

VS.

AARON WADE FERGUSON,

Defendant.

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Case No. 2:20-mj-56-VCF

Stipulation to Continue Preliminary Hearing

IT IS HEREBY STIPULATED AND AGREED, by and between Nicholas A. Trutanich, United States Attorney, and Bianca R. Pucci, Assistant United States Attorney, counsel for the United States of America, and Rene L. Valladares, Federal Public Defender, and Rebecca Levy, Assistant Federal Public Defender, counsel for Aaron Wade Ferguson, that the preliminary hearing currently scheduled February 24, 2020, be vacated and set to a date and time convenient for this court but no earlier than thirty (30) days.

The Stipulation is entered into for the following reasons:

- 1. The additional time requested herein is sought to permit defendant time to review discovery and conduct investigation in this case in order to determine whether there are any issues that must be litigated prior to the case proceeding to preliminary hearing or otherwise.
 - 2. The defendant is incarcerated and does not object to the continuance.

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1	3. The parties agree to the continuance.
2	4. The additional time requested herein is not sought for purposes of delay, but merely
3	to allow counsel for the defendant sufficient time within which to be able to effective and complete
4	investigation of the discovery materials that will be provided by the government.
5	5. Denial of this request for continuance would waste limited judicial resources.
6	Additionally, denial of this request for continuance could result in a miscarriage of
7	justice. The additional time requested by this stipulation is excludable in computing the time
8	within which the preliminary hearing herein must commence pursuant to the Federal Rules of
9	Criminal Procedure 5.1(d), and the Speedy Trial Act, § 3161(h)(7)(A), considering the factors
10	under Title 18, United States Code §§ 3161(h)(7)(B)(i) and (iv).
11	6. This is the First Stipulation to continue the preliminary hearing filed herein.
12	
13	DATED: February 20, 2020
14	
15	RENE L. VALLADARES NICHOLAS A. TRUTANICH
16	Federal Public Defender United States Attorney
17	/s/ Rehecca Levv /s/ Bianca R. Pucci
18	/s/ Rebecca Levy /s/ Bianca R. Pucci ByBy
19	REBECCA LEVY BIANCA R. PUCCI
20	Assistant Federal Public Defender Assistant United States Attorney Attorney for Aaron Wade Ferguson
21	Attorney for Auton Wade Leiguson
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23	
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	*Case 2:21-cr-00117-JCM-DJA Document 12 Filed 02/21/20 Page 3 of 4
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1	UNITED STATES DISTRICT COURT DISTRICT OF NEVADA
2	· ·
3	UNITED STATES OF AMERICA,
4	Plaintiff, Case No. 2:20-mj-56-VCF VS.
5	AARON WADE FERGUSON, Order
6	Defendant.
7	
8	FINDINGS OF FACT
9	Based on the pending Stipulation of counsel, and good cause appearing therefore, the Court
10	finds that:
11	1. The additional time requested herein is sought to permit defendant time to review
12	discovery and conduct investigation in this case in order to determine whether there are any issues
13	that must be litigated prior to the case proceeding to preliminary hearing or otherwise.
14	2. The defendant is incarcerated and does not object to the continuance.
15	3. The parties agree to the continuance.
16	4. The additional time requested herein is not sought for purposes of delay, but merely
17	to allow counsel for the defendant sufficient time within which to be able to effective and complete
18	investigation of the discovery materials that will be provided by the government.
19	5. Denial of this request for continuance would waste limited judicial resources.
20	Additionally, denial of this request for continuance could result in a miscarriage of justice. The
21	additional time requested by this stipulation is excludable in computing the time within which the
22	preliminary hearing herein must commence pursuant to the Federal Rules of Criminal Procedure
23	5.1(d), and the Speedy Trial Act, § 3161(h)(7)(A), considering the factors under Title 18, United
24	States Code §§ 3161(h)(7)(B)(i) and (iv).

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1	6. This is the First Stipulation to continue the preliminary hearing filed herein.
2	CONCLUSIONS OF LAW
3	The ends of justice served by granting said continuance outweigh the best interest of the
4	public and the defendant in a speedy trial, since the failure to grant said continuance would be
5	likely to result in a miscarriage of justice.
6	The continuance sought herein is excusable under the Federal Rules of Criminal
7	Procedure 5.1(d), and the Speedy Trial Act, title 18, United States Code, Section § 3161
8	(h)(7)(A), when the considering the factors under Title 18, United States Code, §
9	3161(h)(7)(B)(i), (iv).
10	<u>ORDER</u>
11	IT IS THEREFORE ORDERED that the preliminary hearing is continued to March 3,
12	2020. at 4:00 pm in Courtroom 3D.
13	DATED this 215th day of February 2020.
14	
15	Content.
16	UNITES STATES MAGISTRATE JUDGE
17	CAM FERENBACH U.S. MAGISTRATE JUDGE
18	U.S. MAGISTIVITE
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